

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4531 of 2005

Between:

- 1 Ch.Shankar S/o. Rayanarsu
R/o.Q.No.1964, Ramaeshnagar Godavari Khani, Karimnagar District.
- 2 T.Swamy S/o.Rajamallayya
R/o.Q.No.15-2-561, Vijayanagar Godavari Khani, Karimnagar District.

..... PETITIONERS

AND

The Director (PA&W) Singareni Collieries Company Limited (a Govt.Company)
Kothagudem, Khammam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent company in fixing the maximum age limit as 24 years for recruitment to the post of Electrician Trainee as highly arbitrary, illegal and contrary to the prescription of age by the State and Central Government and in violation of Art.14 and 16 of the Constitution of India and consequently direct the respondent company to fix 33 years as maximum age limit and further direct the respondent to consider the cases of the petitioners to the posts of Electrician Trainee.

Counsel for the Petitioners: MR.M.KESAVA RAO

Counsel for the Respondent: MR.A.RAMALINGESWAR RAO

The Court made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondent in fixing the maximum age limit as 24 years for recruitment to the post of Electrician Trainee as arbitrary and illegal.

Heard the learned counsel for the petitioners and the learned standing counsel for the respondent and perused the material on record.

According to the petitioners, the maximum age limit as per the State Government and Central Government Rules is 33 years and 28 years respectively and therefore, fixing the maximum age as 24 years is arbitrary and illegal.

Admittedly, those Rules have not been adopted by the respondent. The Rules governing the service conditions of the employees of the respondent are not placed before this Court to show that the maximum age limit for Electrician Trainee is more than 24 years. There is no allegation in the affidavit to show that the maximum age is

more than 24 years for the post of Electrician Trainee. In the absence of such plea or assertion, this Court will not give any direction to the respondent.

There is no merit in this writ petition which shall stand accordingly dismissed. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

9th March, 2005

bcj

To

1 The Director (PA&W) Singareni Collieries Company Limited (a Govt.Company)
Kothagudem, Khammam District.

2 Two C.D. copies